



PROPOSED INVERCARGILL CITY DISTRICT PLAN

Recommendation 28E

The Power Company Limited Designations

Hearings Committee

Councillor Darren Ludlow (Chair)

Councillor Neil Boniface

Councillor Graham Sycamore

Keith Hovell

11 October 2016

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INTRODUCTION

The Hearing to consider the matters set out in this recommendation was held in the Council Chambers of the Invercargill City Council on 2 and 3 March 2015.

In this recommendation, the following meanings apply:

"Hearings Committee" means the District Plan Hearings Committee established by the Council under the Local Government Act.

"Proposed Plan" or "Proposed District Plan" means the Proposed Invercargill City District Plan 2013.

"RMA" means the Resource Management Act 1991.

"The Power Company" means the Power Company Ltd.

"Submitter" means a person or body lodging a submission to the Proposed Plan.

At the commencement of the hearings, Crs Boniface and Ludlow declared an interest as Directors of PowerNet Limited, Cr Sycamore declared an interest as a Director of Invercargill City Holdings Limited and Commissioner Hovell declared a conflict of interest in relation to submissions lodged by Cunningham Properties Limited. The Councillors and Commissioner took no part in deliberations in relation to the designations and submissions of the parties referred to.

The Council is required by Section 171 to make a recommendation to the requiring authority where a designation is modified. The Invercargill City Council may recommend the modification be confirmed, with or without further modification, or withdrawn.

The Committee received a Section 42A report on Designations from Liz Devery, Senior Policy Planner with the Invercargill City Council.

The Power Company Ltd was represented at the Hearing by Joanne Dowd of Mitchell Partnership Ltd. She advised that the day-to-day activities on the designated sites was undertaken by PowerNet Limited, an electricity network management company established by The Power Company Limited and Electricity Invercargill Limited.

MODIFICATION OF EXISTING DESIGNATION

The Power Company Ltd sought to rollover two designations subject to minor modification. These designations are at 25 Tuai Street and 23 Clapham Road. The modification sought was to the purpose of the designation, including the word 'substation' so that the purpose for the designations reads "Electricity Zone Substation and Ancillary Purposes". This modification of the wording clarifies the purpose of the designations and does not change it.

No submissions were received relating to this modification.

It is considered that this is a minor modification that essentially does not change the scope of the activities that can be carried out on the sites. These are existing designations, with infrastructure already in place. The modifications do not change the extent or boundaries of the designations. It is considered that this is a change that can be made under the provisions of Section 181(3)(a) of the RMA.

No formal recommendation is required. The designations will be listed in the Proposed District Plan as follows:

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
The Power Company Ltd	Electricity Zone Substation and Ancillary Purposes	23 Clapham Road	Section 88 Blk II Invercargill Hundred	12, 13	58
	Electricity Zone Substation and Ancillary Purposes	25 Tuai Street	Lot 1 DP 12414	11, 12	59

NEW NOTICES OF REQUIREMENT

The Power Company Ltd sought to include three new designations in the Proposed District Plan. These notices of requirement seek to designate the Power Company's existing assets at 281 Chesney Street, 8 Nichol Road and 189 Taiepa Road. Each of these is considered individually as set out below.

For each of the designated sites there is a common issue with respect to an Outline Plan waiver. Decision 28A discusses the request of various requiring authorities to include a condition on their designations to waive the submission of an outline plan where particular conditions are met. As set out in that Decision, the Committee has concluded that such a condition is not valid. Nor does the Committee consider the inclusion of such a condition appropriate taking into account the provisions included in the Proposed Plan.

A condition was also promoted by the requiring authority that the maximum height of buildings on the site be either the height of existing buildings, or 11 metres, whichever is the greater. The Committee considered such a provision uncertain and favoured a specified height limit. No details were provided of the height of buildings on the designated sites, and in the absence of that the Committee has recommended a condition specifying a height limit of 11 metres.

For each of the sites, Mrs Devery also recommended that condition in relation to noise levels and measurement be modified to reflect noise standards NZS 6801:2008 Acoustics - Measurement of Environmental Sound and 6802:2008 - Acoustics Environmental Noise. This would make the condition consistent with the way noise is measured under the District Plan. The Committee agreed with this approach for consistency, and understood the requiring authority was in agreement.

The Committee also noted that since the Hearing on designations, there have been amendments made to the Noise provisions of the Proposed District Plan through Variation 2. The recommendation below takes this into account, and also to reflect the approach to noise within the Proposed Plan.

281 Chesney Street

A notice of requirement was received from the Power Company seeking to designate its assets to allow for the existing use of the site (which originally commenced in 1967) at 281 Chesney Street, Invercargill being Part Lot 6 Block VII, Invercargill Hundred DP 111. The designation notation is for *Electricity Zone Substation and Ancillary Purposes*. The land is owned and operated by The Power Company Limited and is managed by PowerNet

Limited under the Energy Companies Act 1992. The site is identified as being within the Rural 2 Zone of the Proposed Invercargill City District Plan as notified. The zoning has been amended to Rural as a consequence of a decision to amalgamate the rural zones. The Notice of Requirement included conditions for the designated site.

The Notice of Requirement was notified on 24 August 2013. No submissions were received.

Section 42A Report

Mrs Devery's Section 42A Report outlined details of the site and the Notice of Requirement received by The Power Company Ltd. Her main focus in the report related to the issue of Outline Plan exemption, and the wording of the noise condition. She concluded that the designation met all the criteria that needed to be considered under Section 171(1) and recommended that the designation be confirmed subject to modifications of the conditions as discussed above.

Evidence on behalf of The Power Company Ltd

Joanne Dowd, of Mitchell Partnerships Limited, indicated that this site was already developed and was being included in the Proposed Plan to facilitate changes that may be required to the site in the future.

Mrs Dowd referred to the conditions sought by The Power Company which, although there were no immediate plans to undertake any changes, would allow flexibility to upgrade services "while controlling the scale of structures to ensure any adverse effects on adjacent sensitive land uses are not unreasonable". In referring to the amendments to the conditions recommended in the Section 42A Report she advised of general acceptance of those referring to Outline Plans and noise.

Consideration of the Issues

There was general agreement between Mrs Dowd and Mrs Devery on the conditions put forward and the recommended amendments. The existing facilities on the site have been operating for almost 50 years and the Committee accepted the provision of this infrastructure is important to the meet the economic, social, health and safety needs of the community.

Recommendation

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for the site at 281 Chesney Street, Invercargill, be confirmed subject to the conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
The Power Company Limited	Electricity Zone Substation and Ancillary Purposes	281 Chesney Street Invercargill	PT Lot 6 Blk VII Invercargill Hundred DP 111	17	62
Conditions					
1. The maximum height for all new structures associated with the reception, transformation and distribution of electrical power shall be 11 metres.					
2. Structures, excluding overhead lines and their support structures, shall not cover more than 50% of the site.					
Note: Notwithstanding any definition in the Plan, for the purposes of this designation the following					

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
<p>definition will apply:</p> <p><i>The area of a "Structure" shall be measured as the total ground area covered by a building or structure, but shall not include landscaped areas, open sealed or unsealed outdoor storage areas, car parking and vehicle access areas, drainage systems, underground lines, underground earthing grids, fences or land covered by overhead lines and their support structures.</i></p> <p>3. The strength of electric and magnetic fields generated by infrastructure located at the site shall not, within publicly accessible areas, exceed the limits for continuous non-occupational exposure confirmed by the International Commission on Non-Ionising Radiation Protection (1990), or any subsequent amendments thereof or substitutes for.</p> <p>4. Any new noise generating equipment shall not exceed the following noise limits:</p> <p>At the boundary of the site</p> <p style="padding-left: 40px;">At all times - 65 dB L_{Aeq}</p> <p>Provided that noise levels shall not exceed the following noise limits within the notional boundary of any noise sensitive activity:</p> <p>Weekdays and Weekends</p> <p style="padding-left: 40px;">0700 – 2200 pm on any day: 50 dB L_{Aeq}</p> <p style="padding-left: 40px;">2200 pm – 0700 am on any day: 45 dB L_{Aeq}</p> <p>Sound levels are to be measured in accordance with the provisions of NZS 6801 2008: Acoustics - Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:2008: Acoustics Environmental Noise (or subsequent amendments).</p> <p>5. Where existing site noise already exceeds the levels in condition 4 above, that any new noise generating equipment (excluding any electricity equipment required for emergency backup power generation) shall cumulatively in combination with any other noise generating equipment on the site not result in any increase in existing noise levels received at any other property boundary. A noise assessment may need to be submitted as part of any outline plan to confirm the existing noise levels and predicted new noise levels to confirm compliance with this condition.</p>					

189 Taiepa Road

The notice of requirement was received from The Power Company seeking to designate its assets to allow for the existing use of the site at 189 Taiepa Road, being Part Section 85 Block XX Invercargill Hundred. The designation notation is for *Electricity Zone Substation and Ancillary Purposes*. The site is identified as being within the Otatara Zone of the Proposed Invercargill City District Plan. The notice of requirement included conditions for the designated site.

The Notice of Requirement was notified on 24 August 2013. Submissions were received from Roger Leader (Submission 16) and Denis Harvey (Submission 27).

Submitters

Two submissions in opposition were received, from Mr D Harvey of 7 Aiken Road and Mr R Leader of 181 Taiepa Road. Neither submitter attended the hearing. The concerns raised in the submission were in relation to the potential height of structures, noise levels and the measurement of magnetic and electrical frequencies.

Both submitters (16.1 and 27.1) queried the variances in height stated in the notice of requirement documentation, at page 2, point 5.1, where it is stated that no structures on the

site exceed 10 metres in height but the conditions being promoted wanted the maximum height to be either the height of the existing structures or 11 metres whichever was the greater. Both submitters were concerned that the height of structures could be over 11 metres in height.

The submitters' concerns (16.1 and 27.3) in respect to noise were in relation to around the potential future noise generated with upgrade and changes to the site. Low frequency noise was of specific concern to Mr Harvey. He requested that noise barriers be erected around any equipment emitting low frequency noise.

Mr Harvey (27.2) was also concerned about the impact of electric and magnetic fields associated with the transformers. His concern related to the wording of the condition that condition stating that these fields shall not exceed the limits "within publicly accessible areas". He believed that his property was not a "publicly accessible area" and promoted amended wording so that the readings would be taken "beyond the substation boundary" or "at the boundary of neighbouring properties". The submitter considered that this amendment would provide protection from electric and magnetic fields.

Section 42A Report

Mrs Devery's Section 42A Report outlined details of the site and the Notice of Requirement received by The Power Company Ltd. Mrs Devery's report raised a number of issues in respect of conditions in association with this designation. In addition to the issue of Outline Plan exemption, and the wording of the noise condition Mrs Devery considered that the amended noise condition adequately addressed the concerns of the submitters in respect of any change in noise levels from the substation site. While she did not consider it practical to impose a condition addressing low frequency noise, she advised that where low frequency noise is "excessive" or unreasonable, the Council has the ability to take enforcement action and require remedial works to be undertaken, such as noise barriers and/or site maintenance.

Mrs Devery acknowledged the submitters' concerns relating to the condition on height, clarifying that it was her interpretation that the maximum height of structures on the designated site will be 11 metres. Although this is a metre taller than otherwise allowed in the Otatara Zone, she considered that the effects of structures up to this height will not be significant. To ensure that the effects of new buildings and structures on the neighbouring properties would be managed she concluded that due to the existing residential use and potential future subdivision of two adjoining properties that proposed Conditions 2 and 3 should be modified. The amended conditions would ensure that all new buildings and structures comply with the height recession plane and are not located closer than 4 metres from the side and rear boundaries with 7 Aiken Road and 189 Taiapa Road. These amendments were in response to the concerns of the submitters in relation to the potential height of structures and the plan accompanying the notice of requirement which identified the position of a future switch room being 2 metres from the east boundary of the site.

Mrs Devery referred to the established landscaping along the boundaries with 7 Aiken Road and 181 Taiapa Road. It was her view that this visual screen should be retained, although she did not recommend a condition to that effect.

Mrs Devery acknowledged the submitters' concerns about electric and magnetic frequencies. She noted however, that the term "publicly accessible areas" is similar to the clause "reasonably accessible to the general public" which is used in the National Environmental Standard for Telecommunications Facilities in relation to radiofrequency emissions. The Ministry for the Environment guidelines interprets this to mean areas that might under any normal circumstances be occupied by a member of the public, which could

include both public and private property. She interpreted the term “within publicly accessible areas” to mean the same as the similar term in the NES, and as such felt that the condition should ensure that emissions meet the standards on the submitter’s private property

Ms Devery concluded that the requirement met all the criteria that needed to be considered under Section 171(1) and recommended that the designation be confirmed subject to modifications of the conditions as discussed above.

Evidence on behalf of the Power Company Ltd

Joanne Dowd of Mitchell Partnerships Limited, advised that this site was already developed and was being included in the Proposed Plan to facilitate changes that may be required to the site in the future.

Mrs Dowd referred to the conditions sought by The Power Company, which, although there were no immediate plans to undertake any changes, would allow flexibility to upgrade services "while controlling the scale of structures to ensure any adverse effects on adjacent sensitive land uses are not unreasonable". In referring to the amendments to the conditions recommended in the Section 42A Report she advised of general acceptance of those referring to Outline Plans and noise.

In response to the submissions lodged, Mrs Dowd highlighted that the substation had been on the site for some 40 years, and dwellings on adjoining sites were set back some distance from the boundary. As a consequence, she stated that the Power Company opposed any condition which sought to require a four metre setback on The Power Company land from the boundary, compliance with the District Plan height plane requirement for the site and a height limit. Mrs Dowd also referred to Rule 3.9.11 in the Proposed Plan which exempted lines supported on poles from the height and recession plane rules. In her view, any condition on a designation should not be more onerous than what is permitted by the District Plan.

With regard to the issues of electric and magnetic fields and low frequency noise raised by Mr Harvey, Mrs Dowd was of the view that no action was required. She advised that measurements taken by the National Radiation Laboratory indicate that the level of electric and magnetic fields would not impact on adjoining properties, thereby indicating that the proposed Condition 3 was appropriate. With regard to low frequency noise, she considered that sections 16 and 326-328 of the RMA provided appropriate protection. In that regard, she agreed with the conclusion of the Section 42A Report.

Consideration of the Issues

While there is little in contention over the purpose of the designation and whether the proposed works are necessary, particularly in light of the existing use of the property, consideration of the conditions for this designation is necessary.

Mr Leader and Mr Harvey both raised concerns in their submissions relating to the potential height of structures at the substation site. As noted on page 2, the Committee has concern regarding the uncertainty of the condition promoted by the requiring authority, concluding that a maximum height of 11 metres should apply to sites designated by the Power Company. That would appear to meet the concerns of the two submitters.

Mrs Devery recommended additional conditions that required all new structures, other than masts and poles, to comply with the height in relation to boundary recession planes in the Proposed District Plan, and that required all new structures, excluding overhead lines and their support structures to be set back at least four metres from all side and rear boundaries.

The Power Company opposed such conditions, and neither of the two adjoining property owners, who both lodged a submission, raised concerns about the proximity of buildings to the boundary and landscaping issues. Further, the Committee noted that in relation to adjoining property at 181 Taiepa Road, extensive screen planting is provided on that property. There are also some shrubs present on the legal roadway. In the circumstances, and given the proposed height limit of 11 metres, the Committee did not consider it necessary to require a yard setback or compliance with the recession plane provisions. In the event that an Outline Plan was submitted showing large buildings near to the property boundaries, this can be assessed in terms of the environment existing at the time to determine whether any changes should be requested to the Outline Plan.

Mr Leader and Mr Harvey both raised concerns about the potential for effects from electric and magnetic fields on their private properties. The evidence provided by Mrs Dowd summarises results of testing carried out by PowerNet around substations of a similar size to that at Otatara. She concluded that:

“the maximum extremely low frequency field strengths around the substation would not be expected to have any significant effect on the magnetic field exposures on nearby properties.”

The Committee considers that the wording of the condition enables measurement and enforcement issues should any concerns arise at the neighbouring properties, as it is accepted that the term “publicly accessible areas” includes private property where members of the public have lawful access but may be unaware of exposures to radiofrequency fields.

Recommendation

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for the site at 189 Taiepa Road, Otatara, be confirmed subject to the conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
The Power Company Ltd	Electricity Zone Substation and Ancillary Purposes	189 Taiepa Road, Invercargill	Pt Sec 85 BLK XX Invercargill Hundred	15	63
Conditions					
<p>1. The maximum height for all new structures associated with the reception, transformation and distribution of electrical power shall be 11 metres.</p> <p>2. Structures, excluding overhead lines and their support structures, shall not cover more than 50% of the site.</p> <p>Note: Notwithstanding any definition in the Plan, for the purposes of this designation the following definition will apply:</p> <p><i>The area of a “Structure” shall be measured as the total ground area covered by a building or structure, but shall not include landscaped areas, open sealed or unsealed outdoor storage areas, car parking and vehicle access areas, drainage systems, underground lines, underground earthing grids, fences or land covered by overhead lines and their support structures.</i></p> <p>3. The strength of electric and magnetic fields generated by infrastructure located at the site shall not, within publicly accessible areas, exceed the limits for continuous non-occupational exposure confirmed by the International Commission on Non-Ionising Radiation Protection (1990), or any subsequent amendments thereof or substitutes for.</p>					

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
4.	Any new noise generating equipment shall not exceed the following noise limits: At the boundary of the site At all times - 65 dB L _{Aeq} Provided that noise levels shall not exceed the following noise limits within the notional boundary of any noise sensitive activity: Weekdays and Weekends 0700 – 2200 pm on any day: 55 dB L _{Aeq} 2200 pm – 0700 am on any day: 40 dB L _{Aeq} Sound levels are to be measured in accordance with the provisions of NZS 6801 2008: Acoustics - Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:2008: Acoustics Environmental Noise (or subsequent amendments).				
5.	Where existing site noise already exceeds the levels in condition 4 above, that any new noise generating equipment (excluding any electricity equipment required for emergency backup power generation) shall cumulatively in combination with any other noise generating equipment on the site not result in any increase in existing noise levels received at any other property boundary. A noise assessment may need to be submitted as part of any outline plan to confirm the existing noise levels and predicted new noise levels to confirm compliance with this condition.				

8 Nichol Road

The notice of requirement was received from The Power Company seeking to designate its assets to allow for the existing use of the site (which originally commenced in 1957) at 8 Nichol Road being Lot 2 DP 3084. The designation notation is for *Electricity Zone Substation and Ancillary Purposes*. The land is owned and operated by The Power Company Limited and is managed by PowerNet Limited under the Energy Companies Act 1992. The site is identified as being within the Rural 1 Zone of the Proposed Invercargill City District Plan, although the zoning has been amended to Rural as a consequence of a decision to amalgamate the rural zones.. The notice of requirement included conditions for the designated site.

The notice of requirement was notified on 24 August 2013 and no submissions were received.

Section 42A Report

Mrs Devery's Section 42A Report outlined details of the site and the Notice of Requirement received by The Power Company Ltd. Mrs Devery raised a number of issues in respect of conditions in association with this designation.

In addition to the issue of Outline Plan exemption, and the wording of the noise condition, discussed in Decision 28A Designations, General Matters, Mrs Devery recommended amendment to Condition 2 and suggested that the condition also require that structures be set back from the boundary adjoining the neighbouring properties at 6 and 16 Nichol Road. The condition suggested by the requiring authority seeks a site coverage of up to 50%. Mrs Devery was concerned that development to this scale would impact on the amenities of the adjoining properties and she recommended that a 4 metre setback would allow for areas of open space to protect amenity values of the neighbouring properties and visual impacts for the passing traffic.

Mrs Devery also recommended the introduction of a new condition requiring a landscape plan to be included as part of any Outline Plan with the intent of mitigating visual impacts from the adjoining residential properties and from the State Highway. She noted that Section 176(A)(3)(e) requires Outline Plans to show landscaping proposed, but considered, given this site is located in a coastal environment and is visible from the State Highway, such a condition would ensure that the requiring authority pays particular attention to the sensitivities of the environment.

While Mrs Devery did not object to the condition put forward by the Power Company in terms of height of buildings, she did recommend that the height in relation to boundary requirements in the Proposed District Plan should apply along the boundaries to the north and south of the site, where the site adjoins properties being used for residential activities.

Ms Devery concluded that the designation met all the criteria that needed to be considered under Section 171(1) and recommended that the designation be confirmed subject to modifications of the conditions as discussed above.

Evidence on behalf of The Power Company Ltd

Joanne Dowd of Mitchell Partnerships Limited, advised that this site was already developed and was being included in the Proposed Plan to facilitate changes that may be required to the site in the future.

Mrs Dowd referred to the conditions sought by The Power Company which, although there were no immediate plans to undertake any changes, would allow flexibility to upgrade services "while controlling the scale of structures to ensure any adverse effects on adjacent sensitive land uses are not unreasonable". In referring to the amendments to the conditions recommended in the Section 42A Report she advised of general acceptance of those referring to Outline Plans and noise.

Ms Dowd advised that it was not possible to meet the 4 metre setback suggested for 6 Nichol Street as the existing substation building is situated on the side boundary adjoining that property. She proposed that the setback only apply to new structures, and only in relation to the boundary with 16 Nichol Road.

Her evidence also opposed the requirement to comply with the height recession plane as the substation is already in existence. She was of the opinion that it should be the neighbouring properties that have set backs to protect the existing infrastructure from reverse sensitivity issues.

In terms of the proposed new Condition 7 requiring detail on proposed landscaping, this was supported in general but Ms Dowd requested that this be amended to exclude overhead lines and their support structures. She added that this change would allow for the upgrade of overhead lines without the need for Outline Plan approval.

Consideration of the Issues

The Committee noted there is little in contention over the purpose of the designation and whether the proposed works are necessary, particularly in light of the existing use of the property. However, there was disagreement over the conditions that should apply to this designation.

The Committee accepted that it was not practical to impose a four metre setback for buildings adjoining the boundary of 6 Nichol Road, given there is already a building located on the boundary. It noted however, the acceptance of Ms Dowd of a setback condition for

16 Nichol Road. Given the current layout of the site and the adjoining property, the Committee considered there to be little benefit to amenity in requiring buildings and structure to comply with the District Plan Recession Plane Infogram along the boundaries of adjoining sites, and in particular 16 Nichol Road. It was satisfied that adequate protection of amenity values would be achieved by the agreed four metre setback.

The Committee noted that Ms Dowd did not object to the condition requiring a landscape plan as part of Outline Plans for development on the site. She acknowledged that Section 176A(3)(e) requires outline plans to show landscaping proposed and accepted that, given the size of the areas to be designated, it was appropriate that a landscape plan be produced. She suggested, however, that the condition be amended to ensure that overhead lines and support structures would not be captured by this provision.

Given that this site is located within the coastal environment and is located on a site adjoining residential activities, the Committee is firmly of the view that any adverse visual impacts on those properties and the state highway should be subject to particular consideration. In response to the report and evidence submitted to the Committee a more generic condition has been recommended.

Recommendation

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for the site at 8 Nichol Road be confirmed subject to the conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
The Power Company Ltd	Electricity Zone Substation and Ancillary Purposes	8 Nichol Road, Bluff	Lot 2 DP 30384	26	64

Conditions

1. The maximum height for all new structures associated with the reception, transformation and distribution of electrical power shall be 11 metres
2. New structures, excluding overhead lines and their support structures, shall be set back at least 4 metres from all side and rear boundaries adjoining 16 Nichol Road and not cover more than 50% of the site.

Note: Notwithstanding any definition in the Plan, for the purposes of this designation the following definition will apply:

The area of a "Structure" shall be measured as the total ground area covered by a building or structure, but shall not include landscaped areas, open sealed or unsealed outdoor storage areas, car parking and vehicle access areas, drainage systems, underground lines, underground earthing grids, fences or land covered by overhead lines and their support structures.
3. The strength of electric and magnetic fields generated by infrastructure located at the site shall not, within publicly accessible areas, exceed the limits for continuous non-occupational exposure confirmed by the International Commission on Non-Ionising Radiation Protection (1990), or any subsequent amendments thereof or substitutes for.
4. Any new noise generating equipment shall not exceed the following noise limits:

At the boundary of the site

At all times - 65 dB L_{Aeq}

Provided that noise levels shall not exceed the following noise limits within the notional boundary of

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
<p>any noise sensitive activity:</p> <p>Weekdays and Weekends</p> <p style="padding-left: 40px;">0700 – 2200 pm on any day: 50 dB L_{Aeq}</p> <p style="padding-left: 40px;">2200 pm – 0700 am on any day: 40 dB L_{Aeq}</p> <p>Sound levels are to be measured in accordance with the provisions of NZS 6801 2008: Acoustics - Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:2008: Acoustics Environmental Noise (or subsequent amendments).</p> <p>5. Where existing site noise already exceeds the levels in condition 4 above, that any new noise generating equipment (excluding any electricity equipment required for emergency backup power generation) shall cumulatively in combination with any other noise generating equipment on the site not result in any increase in existing noise levels received at any other property boundary. A noise assessment may need to be submitted as part of any outline plan to confirm the existing noise levels and predicted new noise levels to confirm compliance with this condition.</p> <p>6. Where any works undertaken, or structures erected, are visible from the adjoining residential properties and/or from the state highway, as part of the Outline Plans submitted details shall be included of landscaping proposed to mitigate any adverse visual impacts upon the those properties and the state highway.</p>					

Dated at Invercargill this 11th day of October 2016



Councillor Darren Ludlow (Chair)



Councillor Neil Boniface



Councillor Graham Sycamore



Keith Hovell